

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV 15-9631-MWF (KSx)

Date: December 4, 2018

Title: Gerald E. Heller v. NBCUniversal, Inc., et al.

Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge

Deputy Clerk:
Rita Sanchez

Court Reporter:
Not Reported

Attorneys Present for Plaintiff:
None Present

Attorneys Present for Defendant:
None Present

Proceedings (In Chambers): ORDER RE: EX PARTE APPLICATION [106] AND
ORDER TO SHOW CAUSE

On November 2, 2018, Defendants NBCUniversal Media, LLC, et al., filed a Motion to Dismiss Third Amended Complaint (the “Motion”). (Docket No. 103). The Motion is noticed for a hearing on December 17, 2018. Per Local Rule 7-11, Plaintiff’s Opposition was therefore due on November 26, 2018. Plaintiff, however, did not file an Opposition until December 3, 2018. (Docket No. 105). Defendants’ Reply was also due on December 3, 2018. On December 3, 2018, Defendants filed an ex parte application seeking an order to strike Plaintiff’s late-filed Opposition or, in the alternative, extending Defendants’ deadline to file a Reply until December 10, 2018. (Docket No. 106).

The Court, with reluctance, will accept the late Opposition. The Court will continue the deadline for the optional Reply to **December 10, 2018**. The hearing remains scheduled for **December 17, 2018, at 10:00 a.m.**

There is no explanation or apology for the late Opposition. The Court assumes the fault lies with counsel and not Plaintiff itself. Accordingly, Plaintiff’s counsel, Brent M. Finch, Esq., is **ORDERED TO SHOW CAUSE** in writing by **December 14, 2018**, why he should not be monetarily sanctioned for the late filing and failing to comply with the Local Rules.

IT IS SO ORDERED.